THE HON'BLE MR JUSTICE V.V.S.RAO

-

WRIT PETITION No.3254 of 2006

-

Dated:24.02.2006

Between:

Kandadi Anjaiah, S/o. Kandadi Pullaiah,
R/o.1-9-293, Kushalguda, R.R.District, and another.

.... PETITIONERS

AND

The Mandal Revenue Officer, Kesara Mandal, R.R.District, and another.

.....RESPONDENTS

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.3254 of 2006

ORDER:

The two petitioners are allegedly in possession and occupation of the land admeasuring Ac.2.20 guntas in Survey No.199/4 situated at Kapra Village, Keesara Mandal, Ranga Reddy District. They allege that their occupation was also recognized by the Special Court constituted under the Andhra Pradesh Land Grabbing (Prohibition) Act, 1982, in Land Grabbing case, being LGC No.71 of 1999, filed by the Revenue Divisional officer, Hyderabad-East. Therefore, the petitioners assert that their possession is legal and not unauthorized. It is alleged that on 15.02.2006, the respondents illegally demolished the compound wall constructed by the petitioners to protect the property, which is situated nearer to Kapra Town. Aggrieved by the same, the petitioners seek a writ of mandamus declaring the action of the respondents in interfering with their possession as illegal and arbitrary.

At the stage of admission itself, the learned Assistant Government Pleader for Revenue (General) obtained instructions. He submits that the land in Survey No.199/1 admeasuring Acs.181.37 guntas is classified as Sarkari (Government) Poramboke, and that in the year 1964-1965 an extent of Acs.66.35 guntas was

assigned in favour of 32 persons, including Kandadi Anjaiah, S/o.Pullaiah, who is the first petitioner herein. It is further stated by the learned Assistant Government Pleader that though the first petitioner was assigned Acs.2.20 guntas, he did not carryout agriculture, but sold away the land as house sites. When the purchasers of the assigned land constructed the compound wall without obtaining the No Objection Certificate from the revenue authorities, it was removed. The allegation of the petitioners that the respondents are trying to dispossess them from their land is denied. Learned Assistant Government Pleader also does not dispute that unless and until, necessary action is initiated under the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 (for short 'the Act'), the petitioners cannot be evicted forcibly.

The Writ Petition is therefore disposed of with an observation that unless and until appropriate action is taken against the petitioners under the Act, their possession cannot be disturbed. No costs.

_____

(V.V.S.RAO, J)

24.02.2006

vs